

HOUSE BILL No. 1262

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-7; IC 5-10.3-7-2; IC 5-14-3-2; IC 6-1.1; IC 6-6-5-7; IC 9-13-2; IC 9-14; IC 9-15; IC 9-16; IC 9-18; IC 9-24; IC 9-29; IC 34-13-3-2; IC 36-1-8-11; IC 36-2-10-23.

Synopsis: BMV administration by secretary of state. Provides that the secretary of state, by virtue of office, is the commissioner of the bureau of motor vehicles. Abolishes the bureau of motor vehicles commission. Transfers all the commission's powers, duties, and functions to the bureau. Transfers all the commission's appropriations, records, and real and personal property to the bureau.

Effective: June 30, 2007; July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Roads and Transportation.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1262

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 3-7-14-3 IS AMENDED TO READ AS FOLLOWS
- 2 [EFFECTIVE JULY 1, 2007]: Sec. 3. The bureau of motor vehicles
- 3 ~~commission~~ is the state's motor vehicle authority for purposes of
- 4 NVRA.
- 5 SECTION 2. IC 3-7-14-5 IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2007]: Sec. 5. As provided in 42 U.S.C.
- 7 1973gg-3(c)(1), the bureau of motor vehicles ~~commission~~ shall include
- 8 a voter registration application form as a part of the application for a
- 9 driver's license prescribed under IC 9-24.
- 10 SECTION 3. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,
- 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2007]: Sec. 9. (a) An employee of the bureau of motor
- 13 vehicles ~~commission~~ who provides an individual with a driver's license
- 14 or identification card application shall do the following:
- 15 (1) Inform each individual who applies for a driver's license or an
- 16 identification card that the information the individual provides on
- 17 the individual's application will be used to register the individual



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to vote unless:

- (A) the individual is not eligible to vote;
- (B) the individual declines to register to vote or fails to complete the voter registration part of the application; or
- (C) the individual answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application if requested to do so by the individual.

(3) Check the completed voter registration form for legibility and completeness.

(4) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

(5) Inform each individual who submits a change of address for a driver's license or identification card that the information serves as notice of a change of address for voter registration unless the applicant states in writing on the form that the change of address is not for voter registration purposes.

(b) The bureau of motor vehicles ~~commission~~ shall transmit a voter registration form to the election division for transmittal to the appropriate county voter registration office in accordance with IC 3-7-26.3.

SECTION 4. IC 3-7-14-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee of the bureau of motor vehicles ~~commission~~ who provides an individual with a driver's license or an identification card application shall do the following:

- (1) Inform the individual that license branch registration will not permit the individual to vote in the next election.
- (2) Inform the individual of other procedures the individual may follow to vote in the next election.

SECTION 5. IC 3-7-14-11, AS AMENDED BY P.L.164-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. Whenever an applicant completes a voter registration application under section 4 of this chapter, the bureau of motor vehicles ~~commission~~ shall provide the applicant with a written acknowledgment that the applicant has completed a voter registration application at a license branch. The acknowledgment:

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(1) may be:

(A) a detachable part; or

(B) an electronic version;

of the registration form prescribed under section 4 of this chapter;
and

(2) must set forth the name and residential address of the
applicant and the date that the application was completed.

SECTION 6. IC 3-7-14-12, AS AMENDED BY P.L.164-2006,
SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2007]: Sec. 12. (a) An applicant who completes a voter
registration application under section 4 of this chapter is not required
to submit the application to a county voter registration office.

(b) The bureau of motor vehicles ~~commission~~ shall forward the
voter registration part of the application to the election division for
transmittal to the appropriate county voter registration office on an
expedited basis in accordance with IC 3-7-26.3, IC 9-24-2.5, and 42
U.S.C. 1973gg-3(c)(2)(E).

SECTION 7. IC 3-7-14-13 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. Voter registration
information received or maintained by the bureau of motor vehicles
~~commission~~ under this chapter is confidential and may be used only for
voter registration purposes as provided in this article, 42 U.S.C.
1973gg-3(b), and 42 U.S.C. 1973gg-6(a)(6).

SECTION 8. IC 3-7-14-15 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. As provided in 42
U.S.C. 1973gg-3(d), a circuit court clerk or board of registration may
update the address in the voter registration of an applicant, unless the
applicant indicates on an application to obtain or renew a motor vehicle
driver's license (or any other change of address form submitted to the
clerk or board by the bureau of motor vehicles) ~~commission~~ that the
change of address of the applicant is not for voter registration purposes.

SECTION 9. IC 3-7-26.3-18 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 18. As required under
42 U.S.C. 15483, the secretary of state, the co-directors of the election
division, and the bureau of motor vehicles ~~commission~~ shall enter into
an agreement to match information in the computerized list data base
with information in the data base of the bureau of motor vehicles
~~commission~~ to enable the election division (acting on behalf of the
secretary of state) and the ~~commission~~ bureau to verify the accuracy
of the information provided on voter registration applications.

SECTION 10. IC 3-7-26.3-19 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) As required

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under 42 U.S.C. 15483, the bureau of motor vehicles ~~commission~~ shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The following information is subject to verification under this section:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

SECTION 11. IC 3-7-32-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) This section does not apply to a registration by mail form.

(b) Each voter applying to register at the county voter registration office shall, upon completing the voter registration form, receive a notice of disposition stating whether the voter's name has been added to the registration rolls if the application is approved.

(c) Each voter applying to register before a bureau of motor vehicles ~~commission~~ or voter registration agency shall, upon completing the voter registration application form, receive a registration acknowledgement stating that the registration form will be forwarded to the appropriate county voter registration office so that the voter's name may be added to the registration rolls if the application is approved.

SECTION 12. IC 3-7-34-5, AS AMENDED BY P.L.164-2006, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) If a registration form contains all of the information required to be supplied by the voter, but does not include the information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency, the county voter registration office shall promptly make one (1) effort to contact the officer, ~~commission~~, **bureau**, or agency to obtain the information.

(b) If the information is not obtained from the officer, ~~commission~~, **bureau**, or agency under subsection (a) not later than seven (7) days after the county voter registration office provides the notice, the county voter registration office shall notify the NVRA official. The NVRA official shall contact the officer, ~~commission~~, **bureau**, or agency to request that the information be provided to the county voter registration office or that the officer, ~~commission~~, **bureau**, or agency file a

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statement with the county voter registration office indicating why the information is not available.

SECTION 13. IC 3-7-34-7, AS AMENDED BY P.L.81-2005, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) The county voter registration office shall certify to the NVRA official on an expedited basis a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles ~~commission~~ or a voter registration agency.

(b) The NVRA official shall notify the ~~commission~~ bureau or agency that the ~~commission~~ bureau or agency is required to supply the omitted information on an expedited basis to the county voter registration office following receipt of notice from the NVRA official.

SECTION 14. IC 5-10.3-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The following employees may not be members of the fund:

(1) Officials of a political subdivision elected by vote of the people, unless the governing body specifically provides for the participation of locally elected officials.

(2) Employees occupying positions normally requiring performance of service of less than six hundred (600) hours during a year who:

(A) were hired before July 1, 1982; or

(B) are employed by a participating school corporation.

(3) Independent contractors or officers or employees paid wholly on a fee basis.

(4) Employees who occupy positions that are covered by other pension or retirement funds or plans, maintained in whole or in part by appropriations by the state or a political subdivision, except:

(A) the federal Social Security program; and

(B) the prosecuting attorneys retirement fund established by IC 33-39-7-9.

~~(5) Managers or employees of a license branch of the bureau of motor vehicles commission; except those persons who may be included as members under IC 9-16-4.~~

~~(6)~~ (5) Employees, except employees of a participating school corporation, hired after June 30, 1982, occupying positions normally requiring performance of service of less than one thousand (1,000) hours during a year.

~~(7)~~ (6) Persons who:

(A) are employed by the state;

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(B) have been classified as federal employees by the Secretary of Agriculture of the United States; and
 (C) are covered by the federal Social Security program as federal employees under 42 U.S.C. 410.

~~(8)~~ (7) Members and employees of the state lottery commission.

SECTION 15. IC 5-14-3-2, AS AMENDED BY P.L.1-2006, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The definitions set forth in this section apply throughout this chapter.

(b) "Copy" includes transcribing by handwriting, photocopying, xerography, duplicating machine, duplicating electronically stored data onto a disk, tape, drum, or any other medium of electronic data storage, and reproducing by any other means.

(c) "Direct cost" means one hundred five percent (105%) of the sum of the cost of:

- (1) the initial development of a program, if any;
- (2) the labor required to retrieve electronically stored data; and
- (3) any medium used for electronic output;

for providing a duplicate of electronically stored data onto a disk, tape, drum, or other medium of electronic data retrieval under section 8(g) of this chapter, or for reprogramming a computer system under section 6(c) of this chapter.

(d) "Electronic map" means copyrighted data provided by a public agency from an electronic geographic information system.

(e) "Enhanced access" means the inspection of a public record by a person other than a governmental entity and that:

- (1) is by means of an electronic device other than an electronic device provided by a public agency in the office of the public agency; or
- (2) requires the compilation or creation of a list or report that does not result in the permanent electronic storage of the information.

(f) "Facsimile machine" means a machine that electronically transmits exact images through connection with a telephone network.

(g) "Inspect" includes the right to do the following:

- (1) Manually transcribe and make notes, abstracts, or memoranda.
- (2) In the case of tape recordings or other aural public records, to listen and manually transcribe or duplicate, or make notes, abstracts, or other memoranda from them.
- (3) In the case of public records available:
 - (A) by enhanced access under section 3.5 of this chapter; or
 - (B) to a governmental entity under section 3(c)(2) of this chapter;

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to examine and copy the public records by use of an electronic device.

(4) In the case of electronically stored data, to manually transcribe and make notes, abstracts, or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

(h) "Investigatory record" means information compiled in the course of the investigation of a crime.

(i) "Patient" has the meaning set out in IC 16-18-2-272(d).

(j) "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

(k) "Provider" has the meaning set out in ~~IC 16-18-2-295(a)~~ **IC 16-18-2-295(b)** and includes employees of the state department of health or local boards of health who create patient records at the request of another provider or who are social workers and create records concerning the family background of children who may need assistance.

(l) "Public agency" means the following:

(1) Any board, commission, department, division, bureau, committee, agency, office, instrumentality, or authority, by whatever name designated, exercising any part of the executive, administrative, judicial, or legislative power of the state.

(2) Any:

(A) county, township, school corporation, city, or town, or any board, commission, department, division, bureau, committee, office, instrumentality, or authority of any county, township, school corporation, city, or town;

(B) political subdivision (as defined by IC 36-1-2-13); or

(C) other entity, or any office thereof, by whatever name designated, exercising in a limited geographical area the executive, administrative, judicial, or legislative power of the state or a delegated local governmental power.

(3) Any entity or office that is subject to:

(A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or

(B) an audit by the state board of accounts.

(4) Any building corporation of a political subdivision that issues bonds for the purpose of constructing public facilities.

(5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing

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body of a public agency, except medical staffs or the committees of any such staff.

(6) Any law enforcement agency, which means an agency or a department of any level of government that engages in the investigation, apprehension, arrest, or prosecution of alleged criminal offenders, such as the state police department, the police or sheriff's department of a political subdivision, prosecuting attorneys, members of the excise police division of the alcohol and tobacco commission, conservation officers of the department of natural resources, gaming agents of the Indiana gaming commission, and the security division of the state lottery commission.

~~(7) Any license branch staffed by employees of the bureau of motor vehicles commission under IC 9-16.~~

~~(8)~~ (7) The state lottery commission established by IC 4-30-3-1, including any department, division, or office of the commission.

~~(9)~~ (8) The Indiana gaming commission established under IC 4-33, including any department, division, or office of the commission.

~~(10)~~ (9) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(m) "Public record" means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.

(n) "Standard-sized documents" includes all documents that can be mechanically reproduced (without mechanical reduction) on paper sized eight and one-half (8 1/2) inches by eleven (11) inches or eight and one-half (8 1/2) inches by fourteen (14) inches.

(o) "Trade secret" has the meaning set forth in IC 24-2-3-2.

(p) "Work product of an attorney" means information compiled by an attorney in reasonable anticipation of litigation. The term includes the attorney's:

- (1) notes and statements taken during interviews of prospective witnesses; and
- (2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

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This definition does not restrict the application of any exception under section 4 of this chapter.

SECTION 16. IC 6-1.1-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Except as otherwise provided by law, the property owned by this state ~~or a state agency or the bureau of motor vehicles commission~~ is exempt from property taxation.

SECTION 17. IC 6-1.1-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68.

~~(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-15-1.~~

~~(d)~~ (c) The exemption application referred to in section 3 of this chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21; or

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16; and

(2) the exemption application referred to in section 3 of this chapter was filed properly at least once after the property was designated for a religious use as described in IC 6-1.1-10-21 or an educational use as described in IC 6-1.1-10-16.

However, if title to any of the real property subject to the exemption changes or any of the tangible property subject to the exemption is used for a nonexempt purpose after the date of the last properly filed exemption application, this subsection does not apply.

SECTION 18. IC 6-6-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register

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vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the vehicle.

(b) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.

(c) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.

(d) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter, shall receive a credit equal to the remainder of:

- (1) the tax paid for the vehicle; reduced by
- (2) ten percent (10%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. ~~The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund.~~ To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

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(e) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to ten percent (10%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

- (1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

- (A) ten percent (10%) of the owner's last preceding annual excise tax liability; and

- (B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

- (2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

- (A) ten percent (10%) of the owner's excise tax liability

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1 computed as of the time the owner would have been required
 2 to register if there had been no name change; and
 3 (B) the number of full calendar months between the month in
 4 which the owner would have been required to register if there
 5 had been no name change and the owner's new regular annual
 6 registration month.

7 (g) In order to claim a credit under subsection (e) for a vehicle that
 8 is destroyed, the owner of the vehicle must present to the bureau of
 9 motor vehicles a valid registration for the vehicle within ninety (90)
 10 days of the date that it was destroyed. The bureau shall then fix the
 11 amount of the credit that the owner is entitled to receive.

12 SECTION 19. IC 9-13-2-154 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 154. "Restricted
 14 license" means any current driving license, on which the ~~commission~~
 15 **bureau** has designated restrictions.

16 SECTION 20. IC 9-14-1-2 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The ~~governor~~
 18 **secretary of state, by virtue of office, is the commissioner of the**
 19 **bureau of motor vehicles.**

20 (b) **The secretary of state, as commissioner,** shall appoint a
 21 ~~commissioner to administer the bureau. The commissioner serves at the~~
 22 ~~pleasure of the governor. Subject to IC 4-12-1-13, the governor shall~~
 23 ~~fix the salary of the commissioner at the time of appointment.~~

24 SECTION 21. IC 9-14-3-5, AS AMENDED BY P.L.210-2005,
 25 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2007]: Sec. 5. (a) Except as provided in subsection (b), (d), or
 27 (e), the bureau shall prepare and deliver information on titles,
 28 registrations, and licenses and permits upon the request of any person.
 29 All requests must be:

30 (1) submitted in writing; or
 31 (2) made electronically through the computer gateway
 32 administered by the intelenet commission under IC 5-21;
 33 to the bureau and, unless exempted under IC 9-29, must be
 34 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

35 (b) The bureau shall not disclose:

- 36 (1) the Social Security number;
- 37 (2) the federal identification number;
- 38 (3) the driver's license number;
- 39 (4) the digital image of the driver's license applicant;
- 40 (5) a reproduction of the signature secured under IC 9-24-9-1 or
- 41 IC 9-24-16-3; or
- 42 (6) medical or disability information;

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of any person except as provided in subsection (c).

(c) The bureau may disclose any information listed in subsection (b):

- (1) to a law enforcement officer;
- (2) to an agent or a designee of the department of state revenue;
- (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4), IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
- (4) for voter registration and election purposes required under IC 3-7 or IC 9-24-2.5.

(d) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(e) The ~~commission~~ **bureau** may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (d)) to sign a voter registration application, except as authorized under IC 3-7-14.

SECTION 22. IC 9-14-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) Upon the submission to the bureau of a specific written request from an individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties, as described in IC 9-29-2-3.

(c) An individual or organization making a request under this section must certify one (1) of the following:

- (1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications, and that the individual or organization will use the information provided only for that purpose.
- (2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.
- (3) That the information will be used for the purpose of documenting the sale of motor vehicles in Indiana.
- (4) That the information will be used for purposes of the federal Selective Service System.

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(5) That the information will be used solely for law enforcement purposes by police officers.

(d) The ~~commission~~ **bureau** may not compile or release information concerning voter registration under this section.

(e) The bureau shall provide the requested information under this section in a format that is agreeable to the parties, including the following formats:

(1) Printed records.

(2) Microfiche.

(3) Computer disk.

SECTION 23. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) Except as provided in sections 8 and 10 of this chapter:

(1) an officer or employee of the bureau; **or**

~~(2) an officer or employee of the bureau of motor vehicles commission; or~~

~~(3) (2) a contractor of the bureau or the bureau of motor vehicles commission~~ (or an officer or employee of the contractor);

may not knowingly disclose personal information about a person obtained by the bureau in connection with a motor vehicle record.

(b) A person's Social Security number shall not be in any way disclosed on a motor vehicle registration.

SECTION 24. IC 9-16-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. **(a)** As used in this chapter, "qualified person" means any of the following:

(1) A motor club that is any of the following:

(A) A domestic corporation.

(B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.

(2) A financial institution (as defined in IC 28-1-1-3).

(3) A new motor vehicle dealer licensed under IC 9-23-2.

(4) Other persons, including persons licensed under IC 9-23-2 that are not covered by subdivision (3), that the ~~commission~~ **commissioner** determines can meet the standards adopted by the ~~commission~~ **commissioner** under ~~IC 9-15-2-1(7)~~ **subsection (b)** and the requirements for partial service contractors under section 4.5 of this chapter.

(b) The commissioner shall establish and adopt minimum standards for the operation and maintenance of each partial service contractor under this article. The standards must result in more convenience to the public by providing license branch

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1 **services at as many walk-up locations as possible without**
 2 **increasing the cost of providing these services.**

3 SECTION 25. IC 9-16-1-2 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The ~~commission~~
 5 **commissioner** shall operate or be responsible for the administration of
 6 all license branches in Indiana under this article.

7 SECTION 26. IC 9-16-1-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) License branches
 9 have all the powers and duties assigned to license branches by statute
 10 and by the commissioner.

11 (b) The commissioner shall assign to license branches those
 12 functions that:

13 (1) the ~~commission or the~~ bureau is legally required or authorized
 14 to perform; and

15 (2) cannot be adequately performed by ~~the commission or the~~
 16 bureau without assistance from the license branches.

17 SECTION 27. IC 9-16-1-4 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The ~~commission~~
 19 **commissioner** may contract with a qualified person for:

20 (1) the operation of a full service license branch under this
 21 section; or

22 (2) **providing the provision of** partial services under section 4.5
 23 of this chapter.

24 (b) A contract for the operation of a full service license branch must
 25 include the following provisions:

26 (1) The contractor shall provide a full service license branch,
 27 including the following services:

28 (A) Vehicle titles.

29 (B) Vehicle registration.

30 (C) Driver's licenses.

31 (D) Voter registration as provided in IC 3-7.

32 (2) The contractor shall provide trained personnel to properly
 33 process branch transactions.

34 (3) The contractor shall do the following:

35 (A) Collect and transmit all bureau fees and taxes collected at
 36 the license branch.

37 (B) Deposit the taxes collected at the license branch with the
 38 county treasurer in the manner prescribed by IC 6-3.5 or
 39 IC 6-6-5.

40 (4) The contractor shall generate a transaction volume sufficient
 41 to justify the installation of bureau support systems.

42 (5) The contractor shall provide fidelity bond coverage in an

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amount prescribed by the ~~commission~~ **commissioner**.

(6) The contractor may operate the license branch within a facility used for other purposes.

(7) The contractor shall pay the cost of any post audits conducted by the ~~commission or the~~ state board of accounts on an actual cost basis.

(8) The ~~commission~~ **bureau** shall provide support systems and driver's license examiners on the same basis as state operated branches.

(9) The ~~commission~~ **bureau** shall provide the same equipment to contractors as is provided to state operated branches.

(10) The ~~commission~~ **commissioner** must approve each location and physical facility based upon criteria developed by the ~~commission~~ **commissioner**.

(11) The term of the contract must be for a fixed period.

(12) The contractor shall agree to provide voter registration services and to perform the same duties imposed on the ~~commission~~ **bureau** under IC 3-7.

SECTION 28. IC 9-16-1-4.5, AS AMENDED BY P.L.210-2005, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4.5. (a) The ~~commission~~ **commissioner** may contract with a qualified person to provide partial services at a qualified person's location, including locations within a facility used for other purposes, such as electronic titling and title application services and self-serve terminal access.

(b) A contract for providing motor vehicle registration and renewal services at a location must include the following provisions:

(1) The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.

(2) The contractor shall do the following:

(A) Collect and transmit all bureau fees and taxes collected at the contract location.

(B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.

(3) The contractor shall provide fidelity bond coverage in an amount prescribed by the ~~commission~~ **commissioner**.

(4) The contractor shall pay the cost of any post audits conducted by the ~~commission or the~~ state board of accounts on an actual cost basis.

(5) The ~~commission~~ **commissioner** must approve each location and physical facility used by a contractor.

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(6) The term of the contract must be for a fixed period.

SECTION 29. IC 9-16-1-7, AS AMENDED BY P.L.156-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day.

(b) On each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to 6:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(c) On the day before each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(d) The ~~commission~~ **commissioner** shall:

(1) designate another day as time off; or

(2) authorize overtime pay;

for license branch personnel required to work on an election day.

SECTION 30. IC 9-16-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. ~~Subject to the approval of the commission;~~ The bureau may request the necessary office space, storage space, and parking facilities for each license branch operated by the ~~commission~~ **bureau** from the Indiana department of administration as provided in IC 4-20.5-5-5.

SECTION 31. IC 9-16-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The manager of each license branch that is staffed by ~~commission~~ **bureau** employees shall prepare and submit a proposed operating budget for that license branch to the commissioner before August 1 of each year.

SECTION 32. IC 9-16-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Based on the proposed budgets from each of the license branches, the ~~commission~~ **bureau** shall develop a statewide license branch budget. If the ~~commission~~ **commissioner** determines that the total of:

(1) revenues from license branch operations; and

(2) appropriations received by the ~~commission;~~ **bureau;**

are insufficient to support license branch operations, the ~~commission~~ **commissioner** shall increase the branch service charges under IC 9-29-3.

SECTION 33. IC 9-16-3-3 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. On or before
 2 September 1 of each even-numbered year, the ~~commission~~
 3 **commissioner** shall submit to the budget agency a proposed budget.
 4 The ~~commission~~ **commissioner** shall include, at a minimum, the
 5 following information on a county by county basis:

- 6 (1) Total estimated revenue by source.
- 7 (2) Total estimated expenditures for salaries and fringe benefits.
- 8 (3) Total estimated expenditures for other personal services.
- 9 (4) Total estimated expenditures for nonpersonal services.
- 10 (5) Total estimated expenditures for contractual services.
- 11 (6) Total estimated expenditures for supplies and materials.
- 12 (7) All other estimated expenditures.
- 13 (8) The number of full-time and part-time employees.
- 14 (9) Other information the budget agency requires.

15 SECTION 34. IC 9-16-7-2 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The ~~commission~~
 17 **bureau** shall offer voter registration services under this chapter, in
 18 addition to providing a voter registration application as a part of an
 19 application for a motor vehicle driver's license, permit, or identification
 20 card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

21 SECTION 35. IC 9-16-7-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. The registration
 23 forms provided under section 3 of this chapter must be:

- 24 (1) prescribed by the Indiana election commission to permit the
 25 NVRA official to fulfill the NVRA official's reporting duties
 26 under 42 U.S.C. 1973gg-7(a)(3) and IC 3-7-11-2; and
- 27 (2) placed in an easily accessible location within the branch, so
 28 that members of the public may obtain the forms without further
 29 assistance from the ~~commission~~ **bureau**.

30 SECTION 36. IC 9-18-2-1 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Within sixty (60)
 32 days of becoming an Indiana resident, a person must register all motor
 33 vehicles owned by the person that:

- 34 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
- 35 (2) will be operated in Indiana.

36 (b) Within sixty (60) days after becoming an Indiana resident, a
 37 person must register all commercial vehicles owned by the person that:

- 38 (1) are subject to the commercial vehicle excise tax under
 39 IC 6-6-5.5;
- 40 (2) are not subject to proportional registration under the
 41 International Registration Plan; and
- 42 (3) will be operated in Indiana.

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(c) A person must produce evidence concerning the date on which the person became an Indiana resident.

(d) Except as provided in subsection (e), an Indiana resident must register all motor vehicles operated in Indiana.

(e) An Indiana resident who has a legal residence in a state that is not contiguous to Indiana may operate a motor vehicle in Indiana for not more than sixty (60) days without registering the motor vehicle in Indiana.

(f) An Indiana resident who has registered a motor vehicle in Indiana in any previous registration year is not required to register the motor vehicle, is not required to pay motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the motor vehicle, and is exempt from property tax on the motor vehicle for any registration year in which:

(1) the Indiana resident is:

(A) an active member of the armed forces of the United States; and

(B) assigned to a duty station outside Indiana; and

(2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(g) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (f), the Indiana resident may submit an affidavit that:

(1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (e); and

(2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (f). The ~~commission or~~ bureau may not require the Indiana resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year.

SECTION 37. IC 9-18-29-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The fee for an environmental license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau. ~~of motor vehicles commission.~~

SECTION 38. IC 9-18-30-4 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The fee for a kids first trust license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the ~~commission~~ **bureau**.

SECTION 39. IC 9-24-1-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1.5. ~~(a) This section applies after December 31, 2005.~~

~~(b)~~ **(a)** The standards set forth in IC 3-5-5 to determine the residence of an individual applying to become a voter apply to the determination of the residence of an individual applying for a license under this article.

~~(c)~~ **(b)** This section does not prevent the ~~commission~~ **bureau** from issuing a license under this article to an individual who is:

(1) not required by this article to reside in Indiana to receive the license; and

(2) otherwise qualified to receive the license.

SECTION 40. IC 9-24-2.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. This chapter prescribes the procedures to be followed by the ~~commission~~ **bureau** in processing voter registration applications under 42 U.S.C. 1973gg-3 and IC 3-7-14.

SECTION 41. IC 9-24-2.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The manager of each license branch may designate an employee of the license branch as the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The employee designated under this section shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding this designation, any employee of the license branch may perform registration duties in accordance with this chapter.

SECTION 42. IC 9-24-2.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. If the manager does not designate an employee under section 2 of this chapter, the manager is the individual responsible for performing the voter registration duties of the ~~commission~~ **bureau** under this chapter at that license branch. The manager shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under

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1 this chapter. Notwithstanding the designation of the manager under this
 2 section, any employee of the license branch may perform registration
 3 duties in accordance with this chapter.

4 SECTION 43. IC 9-24-2.5-8 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The co-directors
 6 of the election division shall provide the ~~commission~~ **bureau** with a list
 7 of the current addresses and telephone numbers of the offices of the
 8 circuit court clerk or board of registration in each county. The
 9 ~~commission~~ **bureau** shall promptly forward the list and each revision
 10 of the list to each license branch.

11 (b) The co-directors of the election division shall provide the
 12 ~~commission~~ **bureau** with pre-addressed packets for the ~~commission~~
 13 **bureau** to transmit applications under section 6(1) or 6(2) of this
 14 chapter.

15 SECTION 44. IC 9-24-2.5-10 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. The co-directors of
 17 the election division shall notify the ~~commission~~ **bureau** of the
 18 following:

- 19 (1) The scheduled date of each primary, general, municipal, and
 20 special election.
- 21 (2) The jurisdiction in which the election will be held.
- 22 (3) The date when registration ceases under IC 3-7-13-10 before
 23 each primary, general, municipal, and special election.

24 SECTION 45. IC 9-24-2.5-11 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. The ~~commission~~
 26 **bureau** shall provide the co-directors of the election division with a list
 27 stating the following:

- 28 (1) The address and telephone number of each license branch.
- 29 (2) The name of the manager of the license branch and any
 30 employee designated by the manager to be responsible for
 31 performing voter registration duties under this chapter.

32 SECTION 46. IC 9-24-2.5-12 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. As required under
 34 42 U.S.C. 15483, the secretary of state (with the consent of the
 35 co-directors of the election division) and the ~~commission~~ **bureau** shall
 36 enter into an agreement to match information in the computerized list
 37 established under IC 3-7-26.3 with information in the data base of the
 38 ~~commission~~ **bureau** to enable the election division and the ~~commission~~
 39 **bureau** to verify the accuracy of the information provided on voter
 40 registration applications.

41 SECTION 47. IC 9-24-2.5-13 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. (a) As required

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under 42 U.S.C. 15483, the ~~commission~~ **bureau** shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The information subject to verification under this section is the following:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

(c) The agreement under subsection (b) must comply with 42 U.S.C. 15481 and IC 3-7-26.3.

SECTION 48. IC 9-24-10-7.5, AS ADDED BY P.L.210-2005, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7.5. A physician licensed to practice medicine under IC 25-22.5, an optometrist licensed to practice optometry under IC 25-24, or an advanced practice nurse licensed under IC 25-23 who has personally examined the patient not more than thirty (30) days before making a report concerning the patient's fitness to operate a motor vehicle is not civilly or criminally liable for a report made in good faith to the:

(1) bureau;

~~(2) commission;~~ or

~~(3)~~ **(2)** driver licensing medical advisory board;

concerning the fitness of a patient of the physician, optometrist, or advanced practice nurse to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

SECTION 49. IC 9-29-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Money from the increases in fees levied by the 1969 regular session of the general assembly in IC 9-18-2, IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16, IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10, IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily with the treasurer of state and credited to the highway, road, and street fund established under IC 8-14-2-2.1.

(b) For the purpose of providing adequate and sufficient funds for the crossroads 2000 fund established under IC 8-14-10-9, and subject to subsection (c), after June 30, 1997, ~~with the approval of the bureau~~

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1 ~~of motor vehicles commission~~ the bureau of motor vehicles may adopt
 2 rules under IC 4-22-2 to increase, by an amount that is in addition to
 3 the fees specified by statute, the fees under the following:

4 IC 9-29-4-3

5 IC 9-29-5

6 IC 9-29-9-1

7 IC 9-29-9-2

8 IC 9-29-9-3

9 IC 9-29-9-4

10 IC 9-29-9-5

11 IC 9-29-9-6

12 IC 9-29-9-7

13 IC 9-29-9-8

14 IC 9-29-9-9

15 IC 9-29-9-10

16 IC 9-29-9-11

17 IC 9-29-9-13

18 IC 9-29-9-14

19 IC 9-29-15-1

20 IC 9-29-15-2

21 IC 9-29-15-3

22 IC 9-29-15-4.

23 The amount of fees increased under this section shall first be deposited
 24 into the crossroads 2000 fund established under IC 8-14-10-9.

25 (c) The bureau's authority to adopt rules under subsection (b) is
 26 subject to the condition that a fee increase must be uniform throughout
 27 all license branches and at all partial service locations in Indiana.

28 SECTION 50. IC 9-29-3-19, AS AMENDED BY P.L.68-2006,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2007]: Sec. 19. (a) As used in this section, "low numbered
 31 motor vehicle registration plate" means any motor vehicle registration
 32 plate numbered from one (1) to one hundred (100) before or after the
 33 county designation number or letter series designation, or both.

34 (b) As used in this section, "pull service charge" refers to the charge
 35 that the ~~commission~~ bureau may require for a requested low numbered
 36 motor vehicle registration plate or a special numbered motor vehicle
 37 registration plate.

38 (c) As used in this section, "special numbered motor vehicle
 39 registration plate" means any plate, other than a low numbered motor
 40 vehicle registration plate, requested for issuance out of its established
 41 numerical sequence.

42 (d) Subject to subsections (e) and (f), ~~and with the approval of the~~

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1 ~~commission~~, the bureau may adopt rules under IC 4-22-2 to do the
2 following:

3 (1) Increase or decrease any of the service charges listed in
4 sections 1 through 18 of this chapter.

5 (2) Impose a service charge on any other license branch service
6 that is not listed in sections 1 through 18 of this chapter.

7 (3) Increase or decrease a service charge imposed under
8 subdivision (2).

9 (e) The bureau's authority to adopt rules under subsection (d) is
10 subject to the condition that a service charge must be uniform
11 throughout all license branches and at all partial service locations in
12 Indiana.

13 (f) The bureau may not impose a pull service charge for a requested
14 passenger motor vehicle registration plate containing the numbers set
15 forth in IC 9-18-2-28 for a motor vehicle:

16 (1) issued a license plate under IC 9-18-17 that designates the
17 motor vehicle as being owned by a former prisoner of war or by
18 the surviving spouse of a former prisoner of war; or

19 (2) ~~after December 31, 2006~~, issued a license plate under
20 IC 9-18-19 that designates the motor vehicle as being owned by
21 a person who has received a Purple Heart decoration.

22 (g) The bureau may not impose a pull service charge of more than
23 fifteen dollars (\$15) for a requested motor vehicle registration plate
24 issued under IC 9-18-25 for a special group recognition license plate
25 that commemorates the bicentennial of the Lewis and Clark expedition.

26 SECTION 51. IC 9-29-14-1 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The state license
28 branch fund is established for the purpose of paying the expenses
29 incurred in administering IC 9-16. **The bureau shall administer the**
30 **fund. ~~shall be administered by the commission.~~**

31 SECTION 52. IC 9-29-14-4 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. There is annually
33 appropriated to the ~~commission~~ **bureau** the money in the fund for its
34 use in carrying out the purposes of IC 9-16 subject to the approval of
35 the budget agency.

36 SECTION 53. IC 34-13-3-2 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. This chapter applies
38 to a claim or suit in tort against any of the following:

39 (1) A member of the bureau of motor vehicles commission
40 established under IC 9-15-1-1 **(before its repeal).**

41 (2) An employee of the bureau of motor vehicles commission who
42 is employed at a license branch under IC 9-16, except for an

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employee employed at a license branch operated under a contract with the commission **or the bureau** under IC 9-16.

SECTION 54. IC 36-1-8-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) This section does not apply to a county treasurer governed by IC 36-2-10-23.

(b) As used in this section, "credit card" means a:

- (1) credit card;
- (2) debit card;
- (3) charge card; or
- (4) stored value card.

(c) A payment to a political subdivision or a municipally owned utility for any purpose may be made by any of the following financial instruments that the fiscal body of the political subdivision or the board of the municipally owned utility authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the fiscal body.

(d) If there is a charge to the political subdivision or municipally owned utility for the use of a financial instrument, the political subdivision or municipally owned utility may collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(e) If authorized by the fiscal body of the political subdivision or the board of the municipally owned utility, the political subdivision or municipally owned utility may accept payments under this section with a bank card or credit card under the procedures set forth in this section. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

(f) The political subdivision or municipally owned utility may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards.

(g) The political subdivision or municipally owned utility may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this subsection.

(h) The authorization of the fiscal body of the political subdivision is not required by the bureau of motor vehicles **or the bureau of motor vehicles commission** to use electronic funds transfer or other financial instruments to transfer funds to the political subdivision.

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SECTION 55. IC 36-2-10-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23. (a) Notwithstanding any other law, payments to the treasurer for any purpose, including property tax payments, may be made by any of the following financial instruments that the treasurer authorizes for use:

- (1) Cash.
- (2) Check.
- (3) Bank draft.
- (4) Money order.
- (5) Bank card or credit card.
- (6) Electronic funds transfer.
- (7) Any other financial instrument authorized by the treasurer.

(b) If there is a charge to the treasurer for the use of a financial instrument other than a bank card or credit card, the treasurer shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(c) A treasurer may contract with a bank card or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the treasurer or charged directly to the treasurer's account, the treasurer shall collect from the person using the card an official fee that may not exceed the highest transaction charge or discount fee charged to the treasurer by bank or credit card vendors during the most recent collection period. This fee may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

(d) Notwithstanding subsection (a), the authorization of the treasurer is not required for the bureau of motor vehicles ~~or the bureau of motor vehicles commission~~ to use electronic funds transfer or other financial instruments to transfer funds to the county treasurer.

SECTION 56. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2007]: IC 9-13-2-32; IC 9-15; IC 9-16-2-4; IC 9-16-2-5; IC 9-16-4.

SECTION 57. [EFFECTIVE JUNE 30, 2007] (a) **As used in this SECTION, "bureau" refers to the bureau of motor vehicles created by IC 9-14-1-1.**

(b) **As used in this SECTION, "commission" refers to the bureau of motor vehicles commission established by IC 9-15-1-1 (before its repeal by this act).**

(c) **On July 1, 2007, the commission is abolished and all powers, duties, and functions adhering to the commission are transferred to the bureau.**

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- 1 (d) On July 1, 2007, the:
2 (1) appropriations;
3 (2) records; and
4 (3) real and personal property;
5 of the commission are transferred to the bureau.
6 (e) Any fund under the control or supervision of the commission
7 on June 30, 2007, is transferred to the control or supervision of the
8 bureau on July 1, 2007.
9 (f) This SECTION expires July 1, 2008.

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